

REMARKS

Please reconsider the application in view of the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of the Claims

Claims 1-7 are pending in this application. Claims 1 and 4 are independent. The remaining claims depend directly from independent claims 1 and 4.

Rejections under 35 U.S.C. § 103(a)

Claims 1-7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 0135608 ("Hamada") in view of U.S. Patent No. 6,501,902 ("Wang"). For the reasons that follow, this rejection is respectfully traversed.

In *KSR Int'l Co. v. Teleflex Inc.*, 127 S.Ct. 1727 (2007), the Supreme Court noted that the analysis supporting a rejection under 35 U.S.C. § 103 must be made explicit. Hence, the key to supporting any rejection under § 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious (*see* MPEP § 2141). Further, MPEP § 706.02(j) provides, "to support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." In light of these guidelines, Applicant respectfully asserts that the claimed invention is not rendered obvious by the combination of the cited references.

The claimed invention is directed to a disk reproduction apparatus and disk reproduction method that can administer information to facilitate the process of reproducing data from a disk. Referring to the specification by way of example, by operating a marker key 12A during a playing operation of a disk in a DVD player, the current address on the disk played back at that time point is registered as a bookmark (*see* paragraph [0056] of the specification). On the other hand, by operating the same marker key 12A when the disk is not playing, the still picture of the address registered as a bookmark is displayed as a thumbnail image in thumbnail display regions 201-206 in a marker display region 20B (*see* Figs. 3-4). In response to a selection of a marker number corresponding to the relevant thumbnail image in a display unit 200, the DVD player can initiate playing of the disk starting from the address corresponding to the selected marker number. As a result, the user can register a desired position of reproduction at a desired timing, and can initiate reproduction of data on a disk from a position of reproduction associated with a marker by the simple operation of selecting the relevant marker after the marker is set (*see* paragraphs [0014]-[0016] of the specification).

Accordingly, independent claim 1 recites, in part, “in the case where the marker input unit accepts the marker input *while the data recorded on the disk is being reproduced* by the data reproduction unit, the marker number input unit accepts the marker number which is selected from the plurality of marker numbers displayed on the display device, and the information storage unit stores, in association with the selected marker number, information of the position of reproduction on the disk being reproduced at the time point of the marker input” and “in the case where the marker input unit accepts the marker input *while the data recorded on the disk is not being reproduced*, the display device displays the plurality of marker numbers and disk position

information associated with the plurality of marker numbers.” According to this configuration, the *same marker input* can trigger either storing disk position information or retrieving stored position information, exclusively, depending on the reproduction state of the disk. As such, the claimed invention can bring convenience to users and simplicity in key panel design. In other words, because the claimed invention may employ keys that can operate differently (and exclusively) depending upon the state of reproduction, the key panel can be simplified, thereby preventing user confusion.

Similarly, independent claim 4 recites, in part, “a marker setting step of storing disk data associated with markers, in the case where the marker input unit accepts the marker input *while data recorded on a disk is being reproduced*, the marker setting step comprising: a marker number displaying step of causing a display device to display a plurality of marker numbers in response to the marker; a marker number accepting step of accepting a marker number input to a marker number input unit, . . . and a storing step of storing, in association with the selected marker number, information of the position of reproduction on said disk at the time point of the marker input” and “a data retrieving step of retrieving the stored disk data, in the case where the marker input unit accepts the marker input *while the data recorded on the disk is not being reproduced*, the data retrieving step comprising: a display step of causing said display device to display the plurality of marker numbers and disk position information associated with the plurality of marker numbers.” Applicant respectfully asserts that the cited references fail to teach or suggest at least the above limitations of independent claims 1 and 4.

Referring to the cited references, Hamada discloses a recording method that enables data for reproduction to be selected by adding a thumbnail representative of the data to the data to

be reproduced. In order to create a mark thumbnail according to Hamada, a user selects a PlayList desired to be reproduced, and an AV stream starts to be reproduced based on the selected PlayList (*see* paragraph [0142] of Hamada). The user views the AV stream being reproduced to search a scene desired to be marked, and the user acts on a mark button of a controller once the user finds a scene desired to be marked. Then, a mark position is determined and a picture which is to be a thumbnail picture is selected (*see* paragraph [0143] of Hamada).

Hamada, however, explicitly states that this operation of book-marking or scene-marking “may be made during playback or during pause” (*see* paragraph [0142] of Hamada). In other words, Hamada teaches that the same registration procedure is conducted regardless of whether the disk is played or paused. The aforementioned limitations of claims 1 and 4, on the other hand, require either storing disk position information or retrieving stored position information, exclusively, *depending on the state of reproduction* (i.e., Hamada is silent with regard to performing a separate operation performed “while the data recorded on the disk is not being reproduced,” as required by independent claims 1 and 4). Hamada is also silent as to storing disk position information and retrieving stored information by using an identical input unit or identical input information, and therefore does not teach or suggest that the *same marker input* trigger the storing or retrieving. Accordingly, Hamada fails to teach or suggest at least the above limitations of independent claims 1 and 4.

Wang discloses a bookmark process in which a list of bookmark numbers with corresponding time parameters is changed into a plurality of subpictures corresponding to the plurality of full-scale pictures containing a selected picture for a user to select. The Examiner, in particular, refers to an operation process disclosed in col. 1 lines 24-50 of Wang to support this

rejection. In response, Applicant notes that, while the operation process of Wang distinguishes between play mode and stop mode (*see* col. 1 lines 25-50), it is silent with regard to using the *same marker input* trigger to either store disk position information or retrieve stored position information, exclusively, depending on the state of reproduction, as required by independent claims 1 and 4. Therefore, Wang fails to teach or suggest that which Hamada lacks with respect to independent claims 1 and 4.

In view of the above, Hamada and Wang, whether considered separately or in combination, fail to show or suggest all the limitations of independent claims 1 and 4. Thus, independent claims 1 and 4 are patentable over Hamada and Wang. By virtue of their dependence, claims 2-3 and 5-6 are also patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 04536/032001).

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Respectfully submitted,

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